



THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** A14/2023  
**Related File Numbers:** N/A  
**Address:** 9 Tollgate Road  
**Roll Number:** 2906020014336000000  
**Owner/Applicant:** Royal Canadian Legion – Branch 461 c/o Don Wolan  
**Agent:** Brooks Signs (1985) Ltd. c/o Lon McMillan

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

**PROPOSAL:**

A minor variance application has been received for Branch 461 of the Royal Canadian Legion at the lands municipally addressed as 9 Tollgate Road. The applicant is requesting relief of the City of Brantford Municipal Code Chapter 478 (Signs – Outdoor – Other Advertising Devices) for a new digital sign installed on the existing sign infrastructure on the property. The new sign will display Legion events and details, and not be used for third parties.

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum distance for flashing illumination from residential zone	478.4.12	40 m	0 m	40 m
Illumination hours of operation	478.4.10	Extinguished between 2300-0700 each day	Illumination 24 hours/day	8 additional hours
Sign on residential area	478.4.18	Not permitted on land used or zoned for residential purposes	Permitted within the R1B-3 Zone	Permitted in the R1B-3 Zone, whereas it is not permitted
Minimum distance from the street line	478.8.5	1.0 m	0 m	1.0 m

**DECISION: APPROVED IN PART**

**DATE: May 3, 2023**

THAT application A14/2023 seeking relief from the following Sections of Chapter 478 of the Municipal Code: Section 478.4.12 to permit the flashing illumination of a sign within 0 m of a residential zone whereas 40 m is required, Section 478.8.5 to permit a sign less than 1.0 from the street line, whereas a minimum setback of 1.0 m is required, and Section 478.4.18 to permit a sign within the R1B-3 Zone, whereas signs are not permitted on lands used or zoned for residential purposes, **BE APPROVED;**

THAT the reason(s) for approval of the minor variances to Sections 478.4.12, 478.8.5 and 478.4.18 are as follows: the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands;

THAT application A14/2023 seeking relief from Section 478.4.10 to permit the illumination of a sign 24 hours per day, whereas illumination is otherwise required to be extinguished between the hours of 2300 and 0700 each day, where visible from within a residential zone, **BE REFUSED**; and

THAT the reason(s) for refusal of the minor variance to Section 478.4.10 is as follows: the proposed variance is not in keeping with the general intent of Chapter 478 of the Municipal Code, the relief requested is not considered minor in nature and is not desirable for the appropriate development and use of the subject lands.

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-289.

**Electronically signed by V. Kershaw,  
Chair/Member**

**Electronically signed by M. Bodnar  
Member**

**Electronically signed by T. Cupoli,  
Member**

**ABSENT - T. Gaskin  
Member**

**Electronically signed by G. Kempa,  
Member**

**Electronically signed by J. Panag,  
Member**

**ABSENT - M. Simpson  
Member**

#### CERTIFICATION

I hereby certify that this is a true copy of the original document



Secretary-Treasurer

#### ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, [shague@brantford.ca](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto:hstemberger@brantford.ca)

#### APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 45(12) for minor variances) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **“Minister of Finance”**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

#### Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 23, 2023**

**END OF DECISION**

**LOCATION MAP**

Application: A14/2023  
9 Tollgate Road



**Legend**

SUBJECT LAND



**Site Layout**



**Sign Elevation**

UPDATING OF EXISTING DOUBLE-SIDED PYLON TO INCLUDE NEW FULL-COLOUR LED DISPLAYS

3M 3630-137 EUROPEAN BLUE TRANSLUCENT VINYL & PAINT TO MATCH  
 3M 3630-33 RED  
 3M 3630-22 BLACK

**OPTION "A"**

**brooks Signs 35 YEARS**  
 5 Wellington Dr., Brantford, ON N6G 0H4  
 519-753-6106  
 www.brooks-signs.com

CLIENT: DUNSDON LEGION  
 LOCATION: BRANTFORD  
 SKETCH: Dunsdon Legion Brantford-May2022  
 DATE: May 3, 2022  
 SALES: L. McMILLAN  
 ARTIST: K. McKEVEY  
 APPROVED BY:   
 DATE:

THIS DESIGN IS THE PROPERTY OF BROOKS SIGNS (1985) LTD. AND IS NOT TO BE COPIED WITHOUT WRITTEN PERMISSION OF THE OWNERS



THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** A13/2023  
**Related File Numbers:** N/A  
**Address:** 73 King George Road  
**Roll Number:** 2906020012002000000  
**Applicant/Agent:** Dover Digital Signs c/o Simon Ive  
**Owner:** Bruce Graham

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

**PROPOSAL:**

A minor variance application has been received for the McDonald's Restaurant at the lands municipally addressed as 73 King George Road. The applicant is requesting relief of the City of Brantford Municipal Code Chapter 478 (Signs – Outdoor – Other Advertising Devices) for a new digital sign installed on the existing sign infrastructure on the property. The intent of the new digital sign is to display promotions and details related to special offerings at the McDonald's restaurant on the subject property.

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum distance for flashing illumination from residential zone	478.4.12	40 m	26 m	14 m
Minimum distance for flashing illumination from nearest traffic signal	478.4.14	30 m	28.9 m	1.1 m
Illumination hours of operation	478.4.10	Extinguished between 2300-0700 each day	Illumination 24 hours/day	8 additional hours

**DECISION:           APPROVED IN PART**

**DATE:                 May 3, 2023**

THAT application A13/2023 seeking relief from the following Sections of Chapter 478 of the Municipal Code: Section 478.4.12 to permit the flashing illumination of a sign within 26 m of a residential zone whereas 40 m is required and Section 478.4.14 to permit an illuminated sign to be located 28.9 m to the nearest traffic signal, whereas no illuminated/animated signs are permitted to be located closer than 30 m to the nearest traffic signal of an intersection, **BE APPROVED;**

THAT the reason(s) for approval of the minor variances to Sections 478.4.12 and Section 478.4.14 are as follows: the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands;

THAT application A13/2023 seeking relief from Section 478.4.10 to permit the illumination of a sign 24 hours per day, whereas illumination is otherwise required to be extinguished between the hours of 2300 and 0700 each day, where visible from within a residential zone, **BE REFUSED**; and

THAT the reason(s) for refusal of the minor variances to Section 478.4.10 are as follows: the relief requested is not in keeping with the general intent of Chapter 478 of the Municipal Code, is not desirable for the appropriate development and use of the subject lands and the relief requested is not considered minor in nature;

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-323.”

**Electronically signed by V. Kershaw,  
Chair/Member**

**Electronically signed by M. Bodnar  
Member**

**Electronically signed by T. Cupoli,  
Member**

**ABSENT - T. Gaskin  
Member**

**Electronically signed by G. Kempa,  
Member**

**Electronically signed by J. Panag,  
Member**

**ABSENT - M. Simpson  
Member**

#### CERTIFICATION

I hereby certify that this is a true copy of the original document



Secretary-Treasurer

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Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

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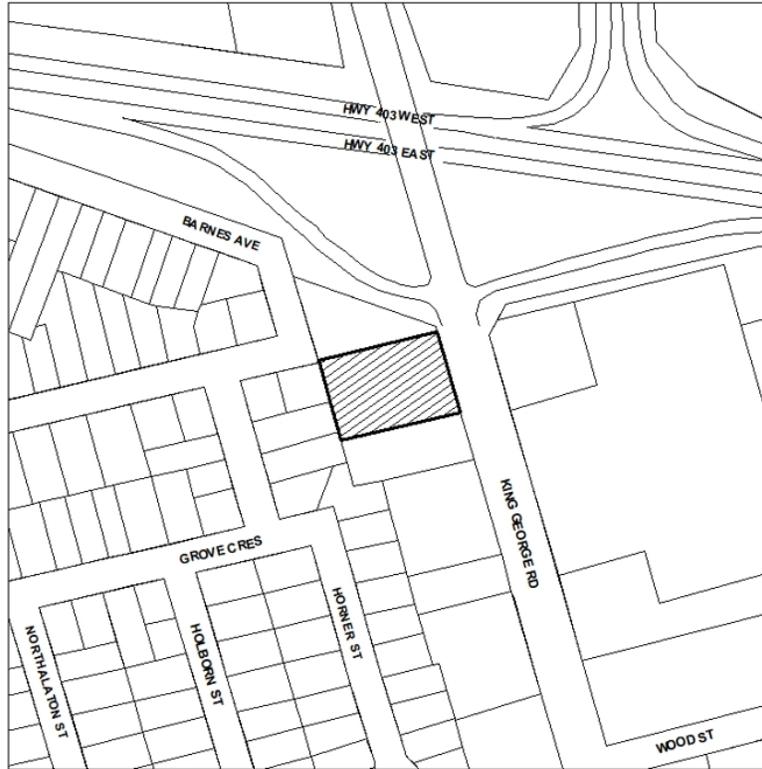
For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 23, 2023**

**END OF DECISION**

**LOCATION MAP**

Application: A13/2023  
73 King George Road



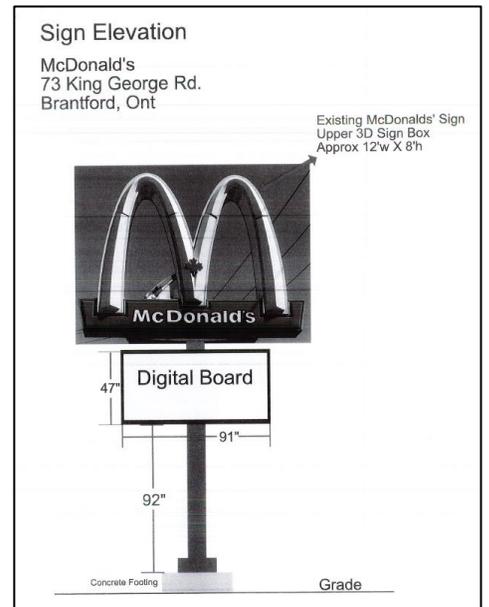
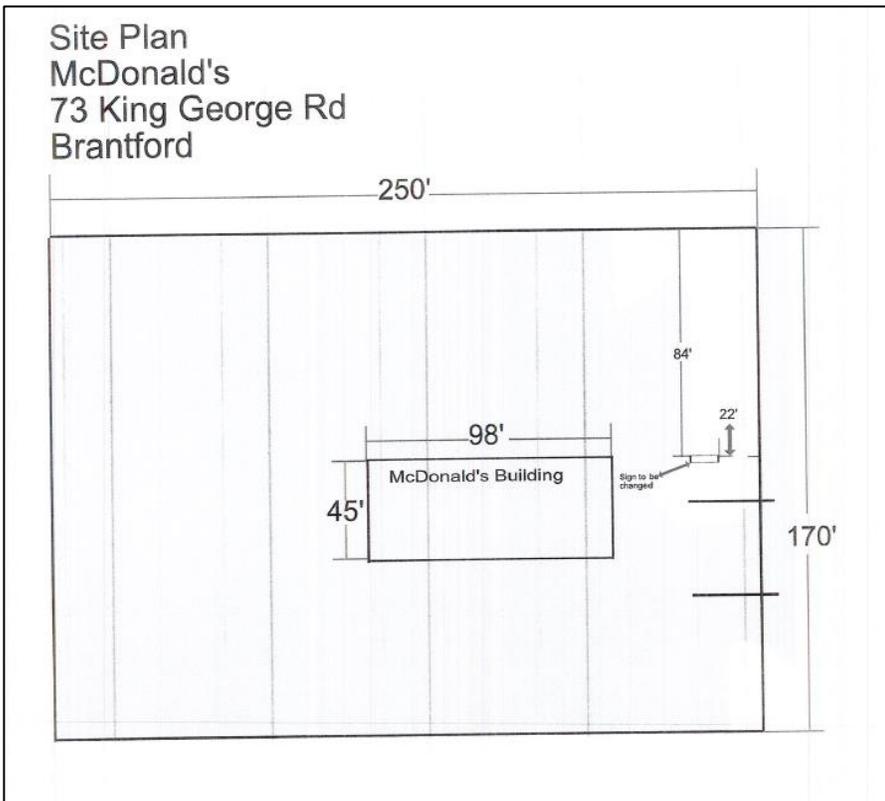
**Legend**

 SUBJECT LAND



**Conceptual Site Plan Digital**

**Sign Elevation**





THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** A16/2023  
**Related File Numbers:** B14/2023, B15/2023 & A15/2023  
**Address:** 163 Grand River Avenue  
**Roll Number:** 2906010003143000000  
**Applicant/Owner:** Lara Williams, c/o Oriyomi Holdings Inc.  
**Agent:** Ruchika Anrigh, The Anrigh Group

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

### PROPOSAL:

Consent and minor variance applications have been received for the lands municipally addressed as 163 Grand River Avenue. The applicant is proposing to sever 2 new residential lots from the existing 870 m<sup>2</sup> lot. The existing dwelling has received a building permit and is currently under construction to alter the layout of the 3 unit converted dwelling, which will remain on the retained lands. Each unit within the converted dwelling is proposed to have an individual driveway and parking space. A semi-detached dwelling is proposed on the 2 severed lots.

To facilitate the consent application, minor variances are required for the retained parcel to provide relief from the following Sections of Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum rear yard	7.8.2.1.6	7.5 m	0.66 m	6.84 m (91%)
Maximum permitted expansion of a converted dwelling	7.8.2.1.12	50% or 110.0 m <sup>2</sup> , which is the lesser	67.9 % 130.3 m <sup>2</sup>	17.9% 20.2 m <sup>2</sup>

**DECISION:           APPROVED IN PART**

**DATE:                 May 3, 2023**

THAT part of application A16/2023 seeking relief from Section 7.8.2.1.12 of Zoning By-law 160-90 to permit the a 130.3 m<sup>2</sup> expansion of the existing dwelling for the purpose of a converted dwelling for the retained lot, whereas the expansion of any building to be used for the purpose of a converted dwelling shall not exceed a total of 50% of the gross floor area of the building which existed at the date of the passing of the By-law or 110.0 m<sup>2</sup>, whichever is the lesser, **BE APPROVED;**

THAT the reason(s) for approval of minor variance A16/2023 from section 7.8.2.1.12 are as follows: the proposed variance is in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands;

THAT part of application A16/2023 seeking relief from Section 7.8.2.1.6 of Zoning By-law 160-90 to permit a rear yard of 0.67 m for the retained lot, whereas a minimum rear yard of 7.5 m is required, **BE REFUSED**; and

That the reason(s) for refusal of minor variance A16/2023 from Section 7.8.2.1.6 are as follows: The proposed variances are not in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is not considered minor in nature and is not desirable for the appropriate development and use of the subject land.

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-290.

**Electronically signed by V. Kershaw,  
Chair/Member**

**Electronically signed by M. Bodnar  
Member**

**Electronically signed by T. Cupoli,  
Member**

**ABSENT - T. Gaskin  
Member**

**Electronically signed by G. Kempa,  
Member**

**Electronically signed by J. Panag,  
Member**

**ABSENT - M. Simpson  
Member**

#### CERTIFICATION

I hereby certify that this is a true copy of the original document



Secretary-Treasurer

#### ADDITIONAL INFORMATION

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#### APPEALS

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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 23, 2023**

**END OF DECISION**

# LOCATION MAP

Application: B14/2023, B15/2023, A15/2023 and A16/2023  
163 Grand River Avenue

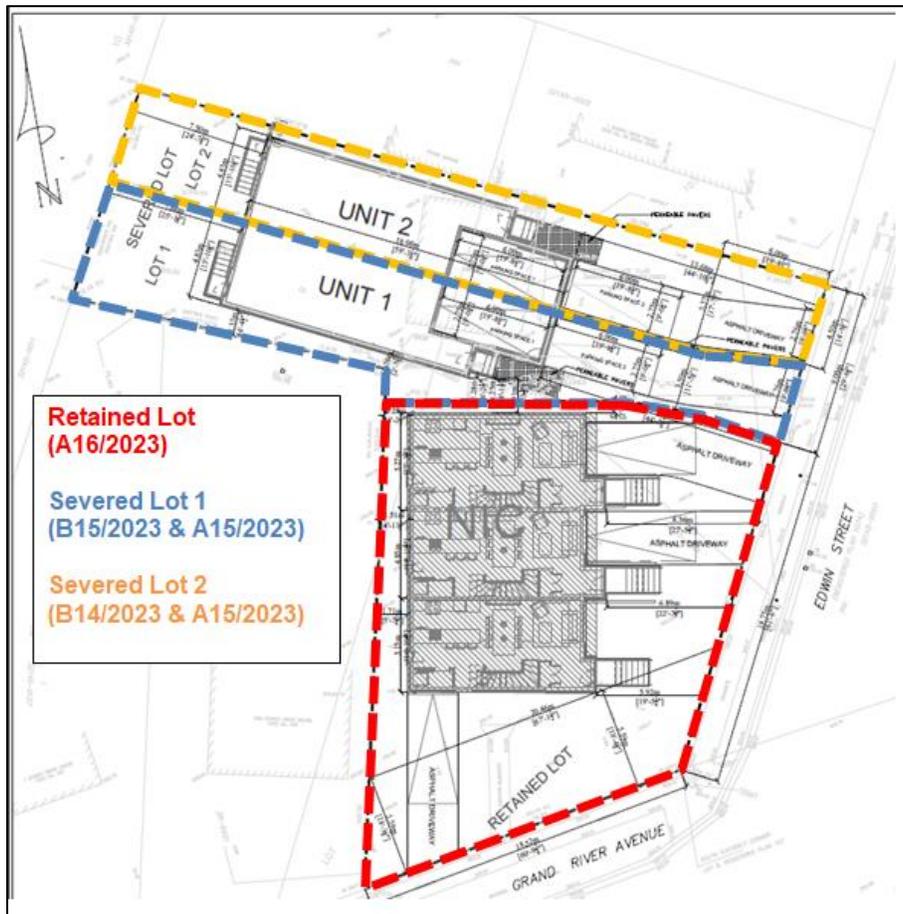


### Legend

 SUBJECT LAND



## Concept Plan





THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** A15/2023  
**Related File Numbers:** B14/2023, B15/2023 & A16/2023  
**Address:** 163 Grand River Avenue  
**Roll Number:** 2906010003143000000  
**Applicant/Owner:** Lara Williams, c/o Oriyomi Holdings Inc.  
**Agent:** Ruchika Anrigh, The Anrigh Group

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

**PROPOSAL:**

Consent and minor variance applications have been received for the lands municipally addressed as 163 Grand River Avenue. The applicant is proposing to sever 2 new residential lots from the existing 870 m<sup>2</sup> lot. The existing dwelling has received a building permit and is currently under construction to alter the layout of the 3 unit converted dwelling, which will remain on the retained lands. Each unit within the converted dwelling is proposed to have an individual driveway and parking space. A semi-detached dwelling is proposed on the 2 severed lots.

To facilitate the consent application, minor variances are required for the severed lots to provide relief from the following Sections of Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
Minimum lot area (semi-detached dwelling)	7.8.2.1.1.2	230.0 m <sup>2</sup> /unit	Lot 1: 213.84 m <sup>2</sup> Lot 2: 210.90 m <sup>2</sup>	Lot 1: 16.16 m <sup>2</sup> Lot 2: 19.10 m <sup>2</sup>
Minimum lot width (semi-detached dwelling)	7.8.2.1.2.2	6.0 m/unit	Lot 1: 3.50 m Lot 2: 5.37 m	Lot 1: 2.50 m Lot 2: 0.63 m
Minimum landscaped open space in the front yard	6.18.3.9	50%	Lot 1: 30% Lot 2: 47%	Lot 1: 20% Lot 2: 3%

**DECISION: REFUSED**

**DATE: May 3, 2023**

THAT application A15/2023 seeking relief from Zoning By-law 160-90 for the severed portions of the lands municipally known as 163 Grand River Avenue, **BE REFUSED** for the following variances:

*Severed Lot 1 (B15/2023)*

- Section 7.8.2.1.1.2 to permit a minimum lot area of 213.8 m<sup>2</sup> for a semi-detached dwelling unit for severed Lot 1, whereas a minimum lot area of 230.0 m<sup>2</sup> per unit is required;
- Section 7.8.2.1.2.2 to permit a minimum lot width of 3.5 m for a semi-detached dwelling unit for severed Lot 1, whereas a minimum lot width of 6.0 m/unit is required; and
- Section 6.18.3.9 to permit a minimum of 30.8% of the front yard of severed Lot 1 to be maintained as landscaped open space, whereas a minimum of 50% is required;

*Severed Lot 2 (B14/2023)*

- Section 7.8.2.1.1.2 to permit a minimum lot area of 210.9 m<sup>2</sup> for severed Lot 2, whereas a minimum lot area of 230.0 m<sup>2</sup> per unit is required;
- Section 7.8.2.1.2.2 to permit a minimum lot width of 5.3 m for severed Lot 2, whereas a minimum lot width of 6.0 m/unit is required; and
- Section 6.18.3.9 to permit a minimum of 47.6% of the front yard of severed Lot 2 to be maintained as landscaped open space, whereas a minimum of 50% is required; and

THAT the reason(s) for refusal of A15/2023 are as follows: the proposed variances are not in keeping with the general intent of the Official Plan and Zoning By-law, the relief requested is not considered minor in nature and is not desirable for the appropriate development and use of the subject lands.

Pursuant to Section 45(8) – (8.2) of the Planning Act, R.S.O 1990, c. P. 13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-290.

**Electronically signed by V. Kershaw,  
Chair/Member**

**Electronically signed by M. Bodnar  
Member**

**Electronically signed by T. Cupoli,  
Member**

**ABSENT - T. Gaskin  
Member**

**Electronically signed by G. Kempa,  
Member**

**Electronically signed by J. Panag,  
Member**

**ABSENT - M. Simpson  
Member**

**CERTIFICATION**

I hereby certify that this is a true copy of the original document

*Sarah Hague*

Secretary-Treasurer

**ADDITIONAL INFORMATION**

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**APPEALS**

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**END OF DECISION**

**LOCATION MAP**

Application: B14/2023, B15/2023, A15/2023 and A16/2023  
163 Grand River Avenue

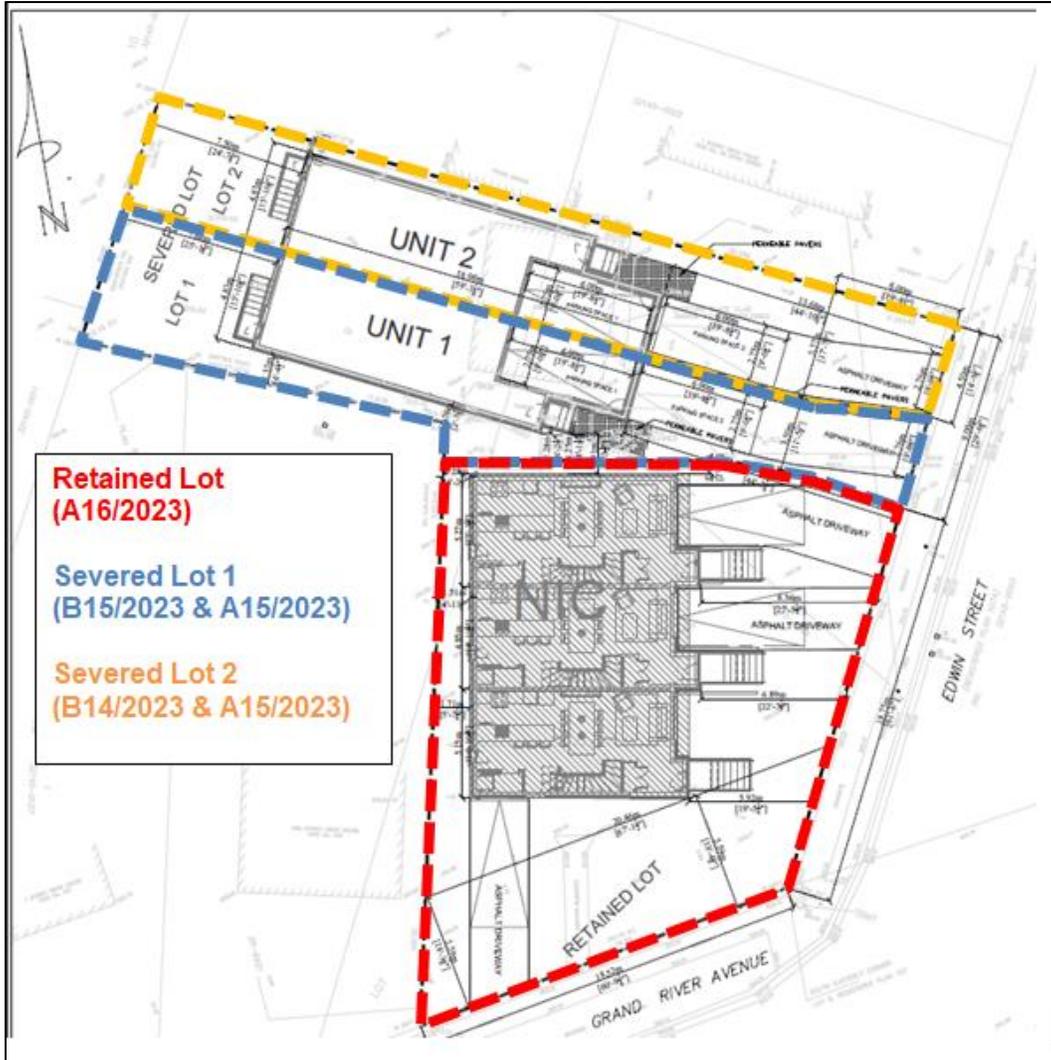


**Legend**

 SUBJECT LAND



# Concept Plan





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Electronically signed by V. Kershaw,  
Chair/Member

Electronically signed by M. Bodnar  
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Electronically signed by T. Cupoli,  
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ABSENT - T. Gaskin  
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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 25, 2023**

**END OF DECISION**

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# LOCATION MAP

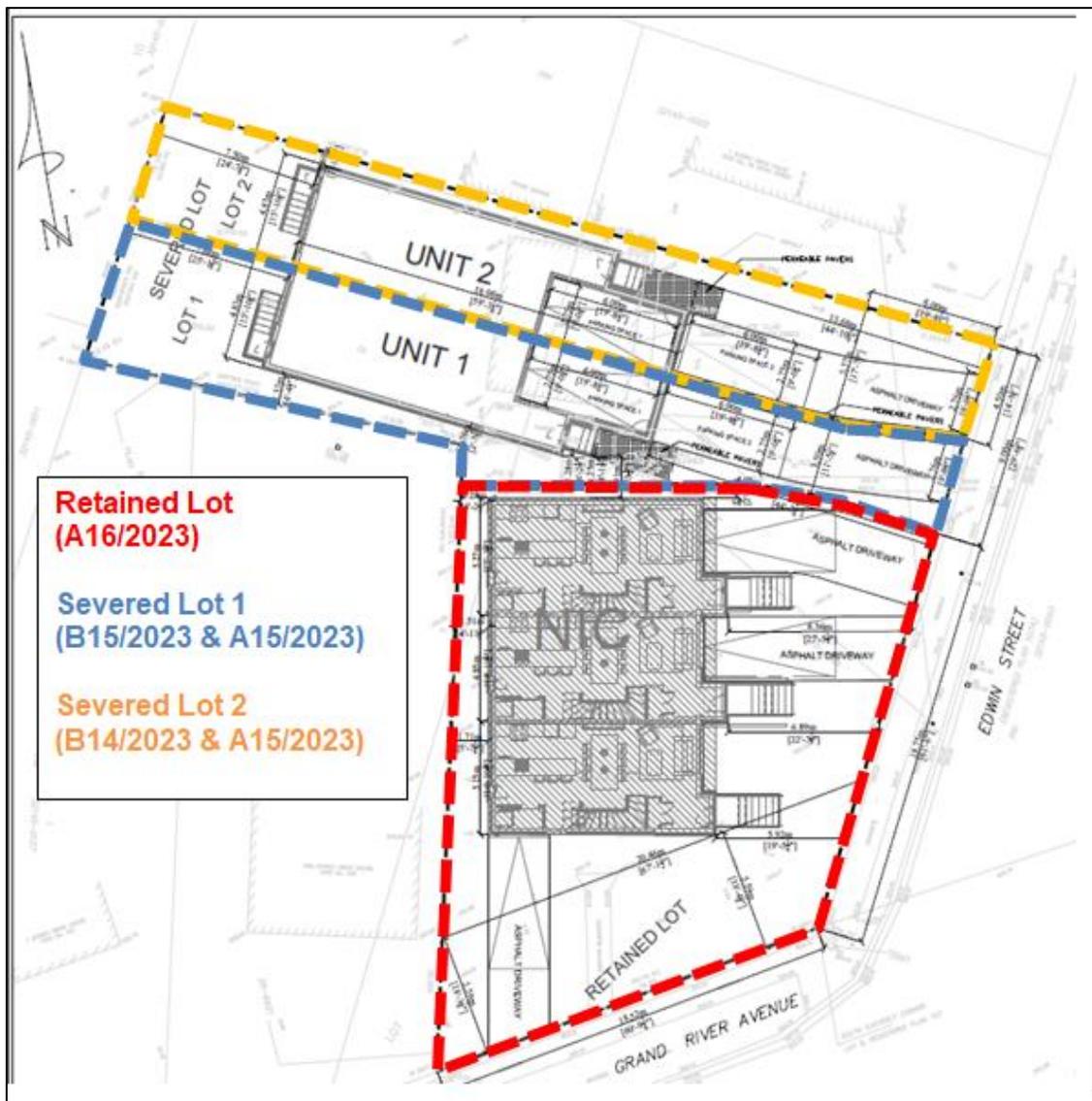
Application: B14/2023, B15/2023, A15/2023 and A16/2023  
163 Grand River Avenue



**Legend**  
[Shaded Box] SUBJECT LAND



## Concept Plan



**Retained Lot  
(A16/2023)**

**Severed Lot 1  
(B15/2023 & A15/2023)**

**Severed Lot 2  
(B14/2023 & A15/2023)**



THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** B15/2023  
**Related File Numbers:** B14/2023, A15/2023 & A16/2023  
**Address:** 163 Grand River Avenue  
**Roll Number:** 2906010003143000000  
**Applicant/Owner:** Lara Williams, c/o Oriyomi Holdings Inc.  
**Agent:** Ruchika Angrish, The Angrish Group

**IN THE MATTER OF AN APPLICATION FOR CONSENT MADE UNDER SECTION 53  
 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

### PROPOSAL:

Consent and minor variance applications have been received for the lands municipally addressed as 163 Grand River Avenue. The applicant is proposing to sever 2 new residential lots from the existing 870 m<sup>2</sup> lot. The existing dwelling has received a building permit and is currently under construction to alter the layout of the 3 unit converted dwelling, which will remain on the retained lands. Each unit within the converted dwelling is proposed to have an individual driveway and parking space. A semi-detached dwelling is proposed on the 2 severed lots. This application is for Severed Lot 1.

Lot Dimension	Severed Lot 1 (B15/2023)	Retained Lot
Lot Width	3.50 m	20.46 m
Lot Area	213.84 m <sup>2</sup>	444.95 m <sup>2</sup>

**DECISION: REFUSED**

**DATE: May 3, 2023**

THAT application B15/2023 to sever the middle portion of 163 Grand River Avenue (Severed Lot 1), having a lot area of 213.8 m<sup>2</sup> and to retain a parcel of land having a lot area of 445.0 m<sup>2</sup>, **BE REFUSED**;

THAT the reason(s) for refusal of B15/2023 are as follows: Does not have regard for the matters under Section 51(24) of the *Planning Act*, in that it is not desirable or compatible with the surrounding area, is not suitable for the lands, is not in the public interest, and could result in adverse impacts on surrounding properties;

Pursuant to Section 53(17) – (18.2) of the Planning Act, R.S.O 1990, c. P. 13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report 2023-290.

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**Electronically signed by V. Kershaw,  
Chair/Member**

**Electronically signed by M. Bodnar  
Member**

**Electronically signed by T. Cupoli,  
Member**

**ABSENT - T. Gaskin  
Member**

**Electronically signed by G. Kempa,  
Member**

**Electronically signed by J. Panag,  
Member**

**ABSENT - M. Simpson  
Member**

#### CERTIFICATION

I hereby certify that this is a true copy of the original document



Secretary-Treasurer

#### ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, [shague@brantford.ca](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto:hstemberger@brantford.ca)

#### APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 53(17) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **“Minister of Finance”**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

#### Notice of Changes

You will be entitled to the conditions of the provisional consent if you have either made a written request to be notified of the decisions to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 25, 2023**

**END OF DECISION**

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# LOCATION MAP

Application: B14/2023, B15/2023, A15/2023 and A16/2023  
163 Grand River Avenue

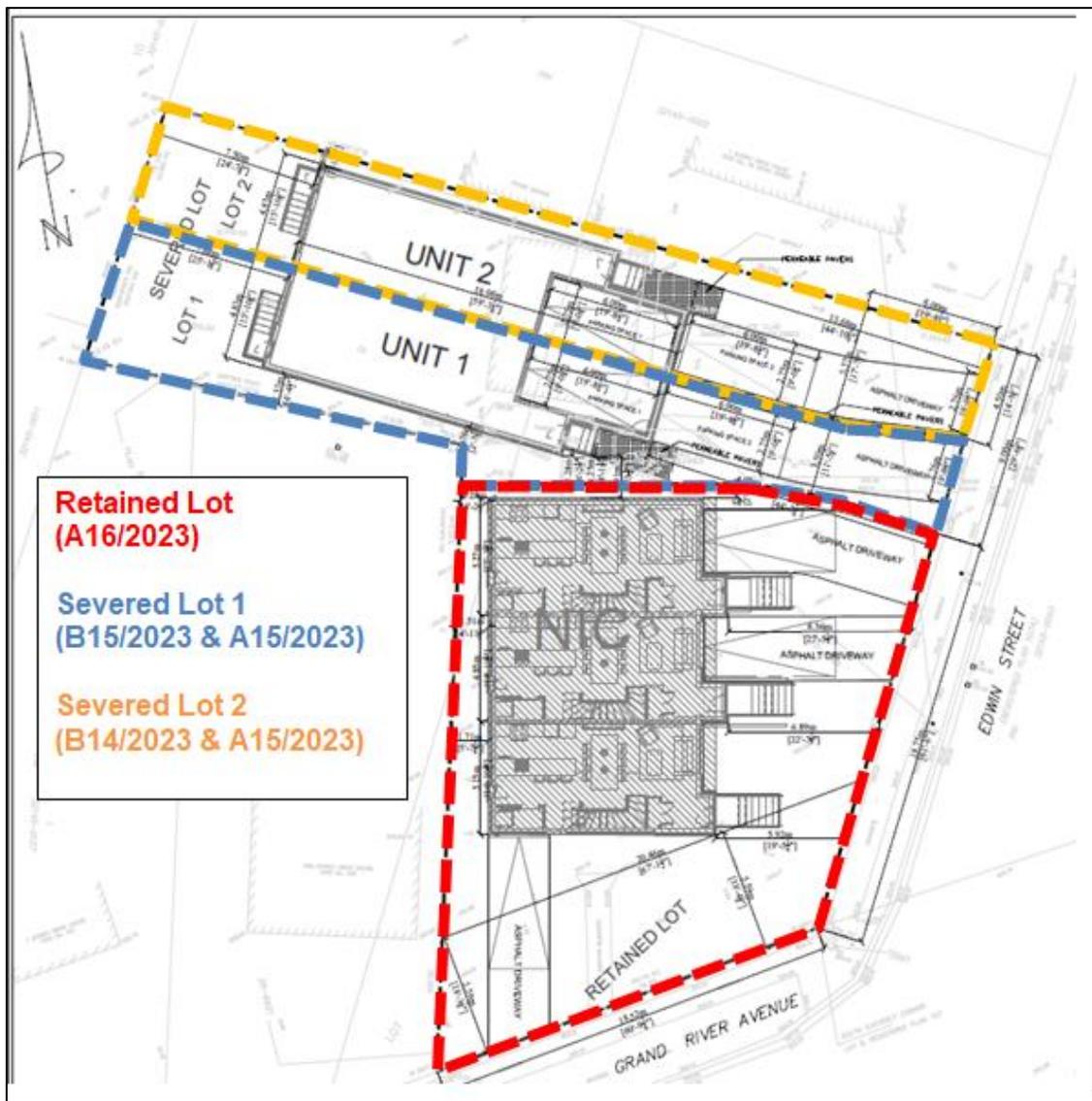


### Legend

 SUBJECT LAND



## Concept Plan





THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** A17/2023  
**Related File Numbers:** B16/2023  
**Address:** 352-354 West Street  
**Roll Number:** 2906030010298000000  
**Owner/Applicant:** West Street Apartments Inc.  
**Agent:** Pamela Larmand

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 45 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

**PROPOSAL:**

Consent and minor variance applications have been received for 352-354 West Street. These properties were purchased under the same ownership and the title merged in 2020. The applicant is proposing to sever the lot with the existing single family dwelling and accessory structure at 352 West Street from 354 West Street.

To facilitate the consent application, a minor variance is required to provide relief from the following Section of Zoning By-law 160-90:

Regulation	By-law Section	Required	Proposed	Relief Requested
<b>Accessory Uses, Buildings and Structures</b>	6.3.1.3.2 In Residential Zones, no accessory building or structure shall be located closer than 0.6 m to an interior lot line	0.6 m	0.4 m	0.2 m

**DECISION:           APPROVED**

**DATE:                 May 3, 2023**

THAT Application A17/2023 requesting relief from Section 6.3.1.3.2 of Zoning By-law 160-90 to permit an accessory structure to be 0.4 m from the interior lot line, whereas an accessory structure is required to be at least 0.6 m from the interior lot line, **BE APPROVED;**

THAT the reason(s) for approval are as follows: the proposed variances are in keeping with the general intent of the Official Plan and Zoning By-law 160-90, the relief requested is considered minor in nature and is desirable for the appropriate development and use of the subject lands; and,

Pursuant to Sections 53(17) – (18.2) and 45(8) – (8.2) of the *Planning Act*, R.S.O 1990, c.P.13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-325.

Electronically signed by V. Kershaw,  
Chair/Member

Electronically signed by M. Bodnar  
Member

Electronically signed by T. Cupoli,  
Member

ABSENT - T. Gaskin  
Member

Electronically signed by G. Kempa,  
Member

Electronically signed by J. Panag,  
Member

ABSENT - M. Simpson  
Member

#### CERTIFICATION

I hereby certify that this is a true copy of the original document



Secretary-Treasurer

#### ADDITIONAL INFORMATION

If you require additional information regarding the application, please contact Sarah Hague, Secretary-Treasurer, (519)759-4150 ext. 5160, [shague@brantford.ca](mailto:shague@brantford.ca) or Holly Stemberger, Deputy Secretary-Treasurer, (519)759-4150 ext. 5125, [hstemberger@brantford.ca](mailto:hstemberger@brantford.ca)

#### APPEALS

The applicant, the Minister, a specified person (as defined under Section 1(1) of the *Planning Act*), or public body that has an interest in the matter may, not later than 20 days after the giving of notice of a decision under Section 45(12) for minor variances) of the *Planning Act* is completed, appeal the decision and/or any conditions imposed on a decision by the Committee of Adjustment, to the Ontario Land Tribunal. Please note that members of the public are no longer entitled to appeal decisions of the Committee of Adjustment.

The fee for an appeal to the Ontario Land Tribunal is \$400.00 for the primary appeal and \$25.00 for each related appeal, by Certified Cheque or money order made payable to the: **“Minister of Finance”**. In addition you must complete an Appellant Form (A1). All notices of appeal shall be accompanied by a \$575.00 administrative fee made payable to the Corporation of the City of Brantford.

#### Notice of Changes

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The letter of appeal, Appellant Form (A1) and fee for appeal are to be filed with the following:

Secretary-Treasurer  
Committee of Adjustment  
58 Dalhousie Street  
Brantford ON  
N3T 2J2

If no appeal is filed by the date listed on the decision, the decision of the Committee of Adjustment is final.

For further information regarding the appeal process and the Ontario Land Tribunal go to: <https://olt.gov.on.ca/appeals-process/>

**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 23, 2023**

**END OF DECISION**

# LOCATION MAP

Application: B16/2023 & A17-2023  
352-354 West Street

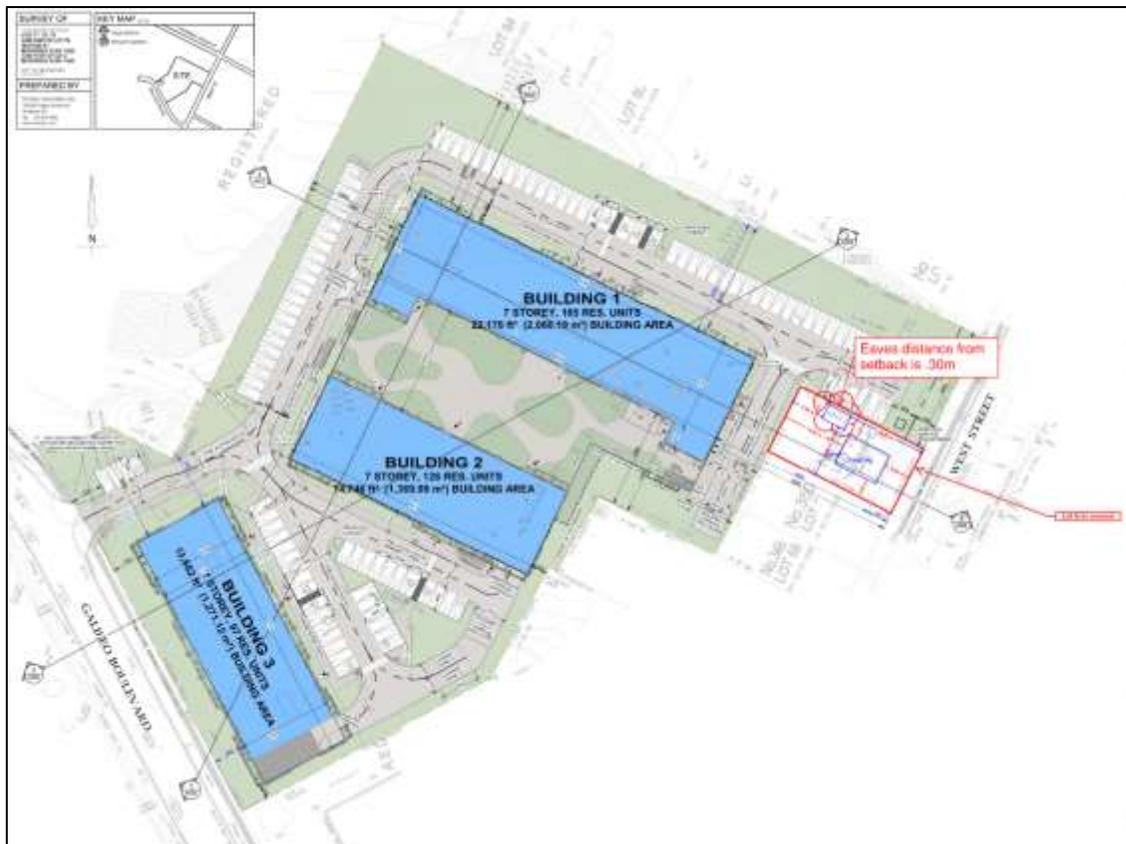


### Legend

 SUBJECT LAND



## Conceptual Site Plan





THE CORPORATION OF THE CITY OF BRANTFORD  
 CITY HALL – 58 DALHOUSIE STREET - BRANTFORD – ON N3T 2J2  
 TELEPHONE 519-759-4150

## COMMITTEE OF ADJUSTMENT DECISION OF THE COMMITTEE

**File Number:** B16/2023  
**Related File Numbers:** A17/2023  
**Address:** 352-354 West Street  
**Roll Number:** 2906030010298000000  
**Owner/Applicant:** West Street Apartments Inc.  
**Agent:** Pamela Larmand

**IN THE MATTER OF AN APPLICATION FOR VARIANCE MADE UNDER SECTION  
 53 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER 13 as amended:**

### PROPOSAL:

Consent and minor variance applications have been received for 352-354 West Street. These properties were purchased under the same ownership and the title merged in 2020. The applicant is proposing to sever the lot with the existing single family dwelling and accessory structure at 352 West Street from 354 West Street.

The proposed lot dimensions are detailed below:

Lot Dimension	Lands to be Severed	Lands to be Retained
Lot Width	16.91 m	46.48 m
Lot Area	618.52 m <sup>2</sup>	17,795 m <sup>2</sup>

**DECISION: APPROVED**

**DATE: May 3, 2023**

THAT Application B16/2023 to sever a parcel of land municipally addressed as 352 West Street, having a lot area of 618.52 m<sup>2</sup>, and to retain a parcel of land at 354 West Street having a lot area of 17,795 m<sup>2</sup>, **BE APPROVED**, subject to the following conditions;

- 1) Receipt of a registered reference plan showing the severed and retained parcel.
- 2) Receipt and confirmation that Application A17/2023 receives final and binding approval and is in full force and effect.
- 3) Receipt of confirmation that taxes are paid up to date.
- 4) Receipt of confirmation that the applicant shall submit to the Secretary-Treasurer a draft of the Transfer Deed for review (*Upon registration, a final copy of the Transfer deed shall be provided to the City*).
- 5) Receipt of confirmation from the manager of Development Engineering or his/her designate, indicating that the deposited reference plan showing the severed and retained parcels of land has been received.

- 6) The Owner/Applicant shall provide a Servicing Plan prepared by a qualified Engineer licensed in the Province of Ontario, to the satisfaction of the Manager of Development Engineering or his/her designate and the Manager of Capital and Development, Environmental Services, or his/her designate. The Servicing Plan shall indicate that the severed and retained parcels have been independently serviced with a water service and sanitary and storm sewer connection and that these services do not cross the proposed severance line(s) and are connected directly to City infrastructure.
- 7) The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the Manager of Development Engineering or his/her designate.
- 8) The Owner/Applicant shall be responsible, financial and otherwise, to provide sanitary and storm sewer connections and a water service to each parcel of land (severed and retained) to ensure each parcel has been independently serviced to the satisfaction of the City Manager of Development Engineering or his/her designate.
- 9) Receipt of confirmation of spatial separation calculations that verify requirements of the Ontario Building Code are met relative to the side of the building face (house) that is getting severed.
- 10) Receipt of confirmation that a road widening strip, as required by the Manager of Development Engineering or his/her designate, has been conveyed to the City, at no cost to the municipality, with any costs regarding the transfer being borne by the applicant(s).
- 11) Receipt of confirmation from the Manager of Environmental Services, or his/her designate, indicating that their requirements have been satisfied.
- 12) Receipt of confirmation from the Manager of Building, or his/her designate, indicating that their requirements have been satisfied.
- 13) Receipt of confirmation from the Manager of Development Engineering Department, or his/her designate, indicating that their requirements have been satisfied.
- 14) That the above conditions be fulfilled and the Certificate of Consent be issued on or before May 5, 2025, after which time the consent will lapse.

THAT the reason(s) for approval are as follows: having regard for the matters under Section 51 (24) of the *Planning Act*, Staff is satisfied that the proposed development is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-law, specifically Section 9.3 (g – i) of the Official Plan respecting consent applications within the City of Brantford and is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe and Provincial Policy Statement.

Pursuant to Sections 53(17) – (18.2) of the *Planning Act*, R.S.O 1990, c.P.13, regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 6.2 of Report No. 2023-325.

Electronically signed by V. Kershaw,  
Chair/Member

Electronically signed by M. Bodnar  
Member

Electronically signed by T. Cupoli,  
Member

ABSENT - T. Gaskin  
Member

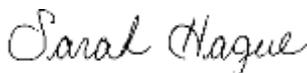
Electronically signed by G. Kempa,  
Member

Electronically signed by J. Panag,  
Member

ABSENT - M. Simpson  
Member

#### CERTIFICATION

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Secretary-Treasurer

#### ADDITIONAL INFORMATION

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**The last date for filing a notice of appeal to the Ontario Land Tribunal of this Decision is May 25, 2023**

**END OF DECISION**

# LOCATION MAP

Application: B16/2023 & A17-2023  
352-354 West Street



## Legend

 SUBJECT LAND



## Conceptual Site Plan

